

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
WEDNESDAY, MARCH 16, 1988  
7:30 P.M.

ROLL CALL                    Present:        Council Members - Hinchman, Pinkerton,  
   Reid, Snider, and Olson (Mayor)

                                 Absent:        Council Members - None

                                 Also Present: City Manager Peterson, Assistant City  
   Manager Glenn, Community Development  
   Director/Deputy City Clerk Schroeder, Public  
   Works Director Ronsko, and City Attorney  
   Stein

INVOCATION                The invocation was given by Pastor R. L. Weishoff, Emanuel  
   American Lutheran Church.

PLEDGE OF                The Pledge of Allegiance was led by Mayor Olson.  
ALLEGIANCE

PRESENTATIONS

REQUEST FROM LODI  
ARTS COMMISSION FOR  
FUNDS FOR LODI  
CHAMBER ORCHESTRA        Mr. Rick Dentino, Chairman of the Lodi Arts Commission and  
   Commissioner Mary Jane Ballatore, addressed the Council  
CC-2(k)                    requesting funds to support the formation of the Lodi  
   Chamber Orchestra. Discussion followed with questions  
   being posed by the Council.

                                 On motion of Council Member Hinchman, Pinkerton second,  
                                 Council, by unanimous vote, transferred \$1,000 from the  
                                 Contingency Fund to the Lodi Arts Commission to be used as  
                                 the Commission chooses.

PROCLAMATION            Mayor Olson presented a Proclamation to Dr. Wayne Kildall  
CC-37                    recognizing the tenth anniversary of the Center of Hope.

CONSENT CALENDAR        In accordance with report and recommendation of the City  
                                 Manager, Council, on motion of Council Member Reid, Snider  
                                 second, approved the following items hereinafter set  
                                 forth.

                                 Consent Calendar item E-15 - "Authorize City Manager and  
                                 City Clerk to execute Agreement for Architectural Services  
                                 for design of Hutchins Street Square Senior Complex" was  
                                 withdrawn from the Agenda.

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CLAIMS CC-21(a)        Claims were approved in the amount of \$1,341,209.03.

MINUTES                No minutes were presented for approval at this meeting.

RESOLUTION OF  
INTENTION TO VACATE  
PORTIONS OF EASEMENTS,  
LOWER SACRAMENTO ROAD  
BETWEEN TAYLOR ROAD  
AND VINE STREET AND  
THE NORTH AND SOUTH  
LINES OF ST. MORITZ  
DRIVE, ADOPTED

RES. NO. 88-33        The City Council adopted Resolution No. 88-33 - a

Continued March 16, 1988

CC-52(b)

Resolution of Intention to abandon a portion of the public utility easements along the east line of Lower Sacramento Road, between Taylor Road and Vine Street, and the north and south lines of St. Moritz Drive, referred the matter to the Planning Commission, and set it for public hearing at the regular Council meeting of April 6, 1988.

Council was apprised that this public utility easement abandonment has been requested by Glen Baumbach, the engineer for this development. Abandoning a portion of these easements will allow the developer to construct his fence six feet behind the property line and install eight feet of landscaping between the sidewalk and the fence.

The owners have paid the required fees to process this abandonment. Pacific Bell, PG&E, King Videocable Company, and City utilities have been notified of this proposed abandonment and their approval will be secured prior to the final action.

RESOLUTION OF  
INTENTION ADOPTED  
TO VACATE A PORTION  
OF THE PUBLIC UTILITY  
EASEMENT ALONG THE  
WEST LINE OF 122  
RIVERGATE PLACE

RES. NO. 88-34

CC-52(b)

The City Council adopted Resolution No. 88-34 - a Resolution of Intention to abandon a portion of the public utility easement along the west line of 122 Rivergate Place referred the matter to the Planning Commission, and set it for public hearing at the regular Council meeting of April 6, 1988.

This public utility easement abandonment has been requested by the owners of 122 Rivergate Place to allow them additional space in their rear yard for the installation of a swimming pool.

The owners have paid the required fees to process this abandonment. Pacific Bell, PG&E, King Videocable Company, and City utilities have been notified of this proposed abandonment and their approval will be secured prior to the final action.

AWARD CONTRACT FOR  
WELL DRILLING, WELL  
1-R, 705 EAST LODI  
AVENUE

RES. NO. 88-35

CC-12(a)

CC-183(a)

The City Council adopted Resolution No. 88-35 awarding the contract for Well Drilling, Well 1-R, 795 East Lodi Avenue to Clark Well and Equipment Company in the amount of \$53,950.00.

Council was apprised that this project consists of providing a replacement water well for Well 1 which was drilled in 1921. The existing Well 1 is located in the alley south of Lodi Avenue, west of Washington Street. This well is slated for replacement due to its age and poor condition. The replacement well will be located in the parking lot behind Fire House #2 at 705 East Lodi Avenue.

Plans and specifications for this project were approved on February 17, 1988.

The City received the following four bids for this project:

<u>BIDDER</u>	<u>LOCATION</u>	<u>BID</u>
Clark Well & Equipment Co.	Stockton	\$53,950.00
Lane-Western Co., Inc.	Woodland	\$61,528.00
Myers Bros. Farming & Well Drilling	Hanford	\$62,720.00
Calwater Drilling Co. Inc.	Turlock	\$82,517.00

AWARD CONTRACT FOR  
MUNICIPAL SERVICE  
CENTER ELECTRICAL  
STORAGE REMODEL,  
1331 SOUTH HAM  
LANE

RES. NO. 88-36  
CC-12(c)

The City Council adopted Resolution No. 88-36 awarding the contract for Municipal Service Center Electrical Storage Remodel, 1331 South Ham Lane to Diede Construction in the amount of \$26,264.00 and appropriated an additional \$9,000.00 from the Electric Utility outlay fund to complete the project.

This project will convert two garage bays into truck parking and storage areas for Utility Department field crews. Material for a specific job will be stored here prior to its delivery to the job site.

Plans and specifications for this project were approved on February 17, 1988.

The City received the following five bids for this project:

<u>BIDDER</u>	<u>LOCATION</u>	<u>BID</u>
Diede Construction	Woodbridge	26,264.00
Alan Askew	Lodi	28,299.00
Don Hughes Construction	Stockton	35,955.00
McDonald-Glenn Company	Manteca	36,666.00
Neth Construction	Stockton	37,107.00

VARIOUS  
SPECIFICATIONS  
APPROVED

CC-12.1(b)

The City Council approved the following specifications and authorized the advertising for bids thereon:

- A) Conventional Pole-Mounted Transformers
- B) Padmounted Transformers
- C) Wood Utility Poles

VARIOUS PLANS AND  
SPECIFICATIONS  
APPROVED

CC-12.1(a)

The City Council approved the following plans and specifications and authorized the advertising for bids thereon:

- A) Softball Complex Fence Replacement, 401 North Stockton Street
- B) Orange Avenue/Mariposa Way Water Main and Lawrence Avenue Water Main, Main Street to Washington Street

Continued March 16, 1988

IMPROVEMENTS  
ACCEPTED AT 225  
WEST LOCKEFORD  
STREET

RES. NO. 88-37      The City Council adopted Resolution No. 88-37 - a  
CC-46                      resolution accepting the development improvements for 225  
West Lockeford Street.

Council was apprised that improvements at 225 West Lockeford Street have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and Bennett and Compton, Inc., dated April 1, 1987, and as specifically set forth in the plans and specifications for the work.

IMPROVEMENTS ACCEPTED  
UNDER CONTRACT FOR  
ELECTRIC SUBSTRUCTURES,  
RUTLEDGE DRIVE AND  
TURNER ROAD

CC-90

The City Council accepted the installation of electric substructures and directed the Electric Utility Director to file a notice of completion with the County Recorder's office. The final contract price was \$25,108.70. The difference (\$1,214.70) between the contract amount and the final contract price is based on actual field measurements versus estimated values.

Sufficient funding for this project was included in the 1987-88 fiscal year budget.

Council was informed that, at the Council meeting of October 21, 1987, the City Council awarded the contract for installation of Electric Substructures, Lower Sacramento Road, Rutledge Drive and Turner Road to Richard A. Heaps Electrical Contractor, Inc. in the amount of \$23,894.00. The installation of the substructures will enable the Electric Utility Department to reconstruct the underground direct-buried 12-kv distribution system in the area. The existing system, installed in 1968-69, is rapidly failing due to cable deterioration. As a result of the cable condition, this area has experienced numerous outages, with the outage rate continually increasing.

RIGHT-OF-WAY  
AGREEMENT FOR 321  
SOUTH HUTCHINS  
STREET APPROVED

CC-90  
CC-161

The City Council approved the Right-of-Entry Agreement for 321 South Hutchins Street and authorized the City Manager and City Clerk to execute same for the City.

Council was reminded that in previous actions, the City Council approved the widening of the west side of Hutchins Street, approximately 400 feet south of Lodi Avenue. Professional appraisals were ordered and received in March of 1987. Since that time, the City has been negotiating with the owners of the two properties involved, but because of legal ties on one parcel and the busy schedules of the partners on the other one, the City has been unable to reach final agreement regarding the acquisition. The owners of the Milk Stop property have offered the City possession of the property on an interim basis with the understanding that negotiations will continue.

The conditions of the right of entry are delineated in the agreement which is on file in the office of the City Clerk. It is Staff's recommendation that the City Council authorize the City Manager and City Clerk to execute the agreement for the City.

Staff also suggested the City Council may want to authorize the same for the Payless parcel immediately to the south, as City expects to have a right of entry from them in the near future. Council concurred with this suggestion.

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COMMENTS BY CITY  
COUNCIL MEMBERS

MAYOR'S PRAYER  
BREAKFAST PROGRAM  
APPLAUDED

Mayor Olson was congratulated on the Mayor's Prayer Breakfast Program by the Council.

CALIFORNIA  
CONSERVATION CORPS  
THANKED FOR THE  
ASSISTANCE PROVIDED  
IN CLEANING UP AFTER  
THE FIRE AND  
EXPLOSION AT THE  
GOLDEN WOK  
RESTAURANT

CC-9

Assistant City Manager Glenn expressed the City's appreciation to the California Conservation Corps for the assistance rendered in the cleaning up of the explosion and fire at the Golden Wok Restaurant.

SMOG CONTROL  
CHECK

Mayor Olson described the smog control check that will be administered to all cars in San Joaquin County at the time of registration during 1988.

POLKA DAYS  
CONCERNS

CC-7(p)  
CC-16

Council Member Pinkerton asked that letters be sent to the Festival Board and the organizers of "Polka Days" to see if that event could be retained in Lodi.

COMMENTS BY THE  
PUBLIC ON NON  
AGENDA ITEMS

QUESTIONS POSED  
BY CITIZEN JANET  
PRUSS

Mrs. Janet Pruss, 2421 Diablo Court, Lodi, expressed concerns about (1) the short minutes of the City Council meeting of March 2, 1988 and (2) the fact that the Mayor asked the Staff to present some growth rate data after the discussion had been closed to the floor.

PUBLIC HEARINGS

There were no public hearings scheduled for this meeting.

PLANNING COMMISSION

No meeting of the Planning Commission had been held since Council received its last report.

COMMUNICATIONS  
(CITY CLERK)

CLAIMS

CC-4(c)

On recommendation of the City Attorney and L. J. Russo Insurance Services, Inc., the City's Contract Administrator, Council, on motion of Council Member Hinchman, Reid second, denied the followed claim and referred it back to the City's Contract Administrator:

a) Reyes Quintero, DOL 8/26/87

Continued March 16, 1988

ABC LICENSE  
APPLICATIONS  
CC-7(f)

The Deputy City Clerk presented the following applications for Alcoholic Beverage Licenses which had been received:

- a) Ahmad A. Khalaf, Stop In Market, 420 East Kettleman Lane, Suite B-6, Lodi, Off Sale Beer and Wine, New License
- b) Michael Lee Pickett, Robert L. Pierce, Archie's Giant Hamburgers, 506 West Lodi Avenue, Lodi, On Sale Beer and Wine Eating Place, Original License
- c) Debra D. and Edward D. Sequeira, ARCO AM/PM Mini Market, 501 West Kettleman Lane, Lodi, Off Sale Beer and Wine, Person to Person Transfer
- d) Donald W. Lamson, Jack Pot Mini Market, 401 South Cherokee Lane, Lodi, Off Sale Beer and Wine, Person to Person Transfer

KING VIDEOCABLE  
COMPANY ADVISES OF  
RATE INCREASE  
CC-22(c)

A letter was presented from King Videocable Company advising that effective April 1, 1988 it is increasing the rate for its package that includes basic service plus two premium services. Further, the letter advises that on April 1, 1988 King Videocable will begin providing 35 channel service, with 30 channels provided on basic service.

DEAN DEVINE  
RESIGNATION FROM  
PARKS AND RECREATION  
COMMISSION  
ANNOUNCED  
CC-2(h)

Following receipt of a letter advising of the resignation of Dean Devine from the Parks and Recreation Commission, Council on motion of Council Member Hinchman, Snider second, directed the City Clerk to post for the subject vacancy.

REGULAR CALENDAR

PETITION RECEIVED  
FROM RESIDENTS IN  
AREA OF 1930 HOLLY  
DRIVE, LODI,  
OPPOSING THE NEW  
PROPOSED HOURS OF  
THE QUIK STOP MARKETS,  
INC. LOCATED AT  
THAT ADDRESS  
CC-7(f)  
CC-16  
CC-35

Council was reminded that, at its regular meeting of March 2, 1988, the City Council received a petition and letter from residents in the vicinity of the Quik Stop Market, 1930 Holly Drive, in opposition to a proposal by the market operators to keep the store open 24 hours per day. The City Council directed the staff to place this item on the agenda, with appropriate notification to the principles involved. Accordingly, the petition circulator, the market manager and officials at the Quik Stop Markets, Inc. headquarters in Fremont have been advised that this item would be placed on the agenda for this meeting.

Community Development Director Schroeder reported that the Quik Stop Market under discussion has residential development on its north, east and south sides and General Mills to the west. The site was for many years occupied by a neighborhood automobile service station which operated during the daytime and early evening.

Each time the market changes management (ownership) the neighbors become concerned about the establishment of a 24 hour operation near their residences. Thus far the staff has used friendly persuasion with the company's head office to control the hours. The homeowners and renters in this area want some permanent assurance that the store will keep reasonable hours.

The homes in this area are shielded from General Mills by a high masonry wall along North Mills Avenue.

Addressing the Council regarding the matter were LeRoy Hensley, 1931 Holly Drive, Lodi, who talked about noise, beer drinking and litter problems being encountered in the subject area.

Mr. W. Roy Plattel, District Manager for Quik Stop Markets, Inc., proposed a compromise suggesting that the store hours be 7:00 a.m. to 11:00 p.m.

Additional discussion followed with questions being directed to staff and to those who had given testimony, Council, on motion of Mayor Pro Tempore Snider, Hinchman second, Council determined that the Quik Stop hours of operation be limited from 7:00 a.m. to 11:00 p.m.

REQUEST OF WINE AND  
ROSES COUNTRY INN,  
2505 WEST TURNER ROAD,  
LODI FOR A ONE-YEAR  
EXTENSION TO COMPLETE  
OFF-SITE IMPROVEMENTS  
AT THAT LOCATION

CC-46  
CC-51(a)  
CC-176

Council was apprised that the owners of Wine and Roses Country Inn, located on the northwest corner of West Turner Road and Lower Sacramento Road, have completed building improvements and are occupying the premises and operating a bed and breakfast facility and restaurant. At the time of the issuance of the building permit, they executed a development agreement with the City of Lodi providing for the construction of certain off-site improvements including street paving, curb, gutter and sidewalk, sanitary sewer and storm drain. A bond they posted to guarantee the construction of these improvements expires June 17, 1988.

Last December, they requested permission to occupy the premises though off-site improvements had not been constructed. We asked that this request be submitted in writing and they responded with a letter dated January 14, 1988, a copy of which was presented for Council's perusal. The staff response granted temporary occupancy with certain conditions. To date, the improvements have not been constructed, and the owners are now requesting an extension of one year to complete the project.

Staff reviewed the chronology of this project and responded to questions as were posed by the Council.

Speaking on behalf of the request was Mr. Del Smith of Wine and Roses Country Inn.

A lengthy discussion followed with questions regarding the matter being directed to Staff and to Mr. Smith.

On motion of Council Member Hinchman, Reid second, Council determined that the storm drainage, curb, gutter, and sidewalk and paving be installed at the present time and that water and sanitary sewer be extended at such time as the City calls for it.

Continued March 16, 1988

ITEM REMOVED FROM  
THE AGENDACC-14(a)  
CC-118

On staff recommendation and Council concurrence, agenda item K-3 - "Consider amending the Lodi Housing Rehabilitation Guidelines pertaining to the single-family housing rehabilitation program to include a statement of no interest charges on deferred payment loans" was pulled from the agenda and continued to the Regular Council Meeting of April 6, 1988.

HEARING SET TO  
RECEIVE PUBLIC  
INPUT CONCERNING  
THE CITY'S OBLIGATION  
FOR HANDICAPPED  
ACCESS TO PUBLIC  
BUILDINGSCC-14(a)  
CC-118

Following review of the City Hall handicapped accessibility project and discussion, Council, on motion of Mayor Pro Tempore Snider, Hinchman second, set hearings at noon and 7:30 p.m. Tuesday, April 26, 1988 in the Community Room of the Lodi Public Library for public input concerning the City's obligation for handicapped access to public buildings.

AGENDA ITEM REGARDING  
FUEL ADDER  
CONTINUED

CC-51(d)

Council Member Pinkerton asked that the discussion of the Fuel Adder be continued until such time as he could discuss the matter with the Electric Utility Director.

## CLOSED SESSION

CC-27(a)  
CC-161

The City Council met in "Closed Session" regarding property acquisition at 107 - 109 North School Street, Lodi, and a personnel matter.

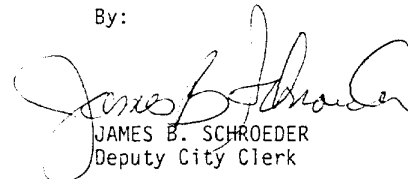
## ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at approximately 10:00 p.m.

ATTEST:

ALICE M. REIMCHE  
City Clerk

By:



JAMES B. SCHROEDER  
Deputy City Clerk